

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE AS TO
	:	<u>SPECIFIC PROPERTY</u>
ELLVA SLAUGHTER,	:	
	:	21 Cr. 230 (KPF)
Defendant.	:	
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WHEREAS, on or about April 5, 2021, ELLVA SLAUGHTER (the “Defendant”), was charged in a one-count Indictment, 21 Cr. 230 (KPF) (the “Indictment”), with being a felon in possession, in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 2 (Count One);

WHEREAS, the Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), of any and all firearms and ammunition involved in or used in the offense charged in Count One of the Indictment, including but not limited to:

- a. Smith & Wesson .40 caliber semiautomatic firearm bearing serial number P0C0875; and
- b. Fourteen .40 caliber cartridges;

WHEREAS, on or about July 22, 2022, the Defendant was found guilty, following a bench trial, of Count One of the Indictment;

WHEREAS, the Defendant consents to the forfeiture of all his right, title and interest in:

- a. Smith & Wesson SW40VE Pistol CAL:40 SN: PDC0875; and
- b. 11 Rounds Winchester-Western Ammunition CAL: 40;

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the United States is permitted to publish forfeiture notices on the government internet site, [www.forfeiture.gov](http://www.forfeiture.gov). This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, (ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the Specific Property, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).


6. Pursuant to 32.2 (b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

10. The signature page of this Consent Preliminary Order of Forfeiture as to Specific Property may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York


By:   
MATTHEW WEINBERG  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2386

1/6/23  
DATE

ELLVA SLAUGHTER

By:   
ELLVA SLAUGHTER

Jan. 6, 2023  
DATE

By:   
TAMARA GIWA, ESQ.  
SYLVIE LEVINE, ESQ.  
Attorney for Defendant  
Federal Defenders of New York  
52 Duane Street, 10<sup>th</sup> Floor  
New York, NY 10007

Jan. 6, 2023  
DATE

SO ORDERED:

  
HONORABLE KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE

1/6/2023  
DATE